
HOUSE BILL No. 1790

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-3-23; IC 20-4-10.1-0.5.

Synopsis: East Chicago school board. Provides that the governing body of the East Chicago school corporation consists of six members elected by all the voters of the city. Provides that the members must reside in one of six districts that are the same as the city council districts. Provides other details of the organization of the governing body.

Effective: July 1, 2005.

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January 19, 2005, read first time and referred to Committee on Education.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1790

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-3-23 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2005]:
4 **Chapter 23. Election of School Board Members in East Chicago**
5 **Sec. 1. This chapter applies:**
6 (1) after December 31, 2005; and
7 (2) to a school corporation located in a city that has a
8 population of more than thirty-two thousand (32,000) but less
9 than thirty-two thousand eight hundred (32,800).
10 **Sec. 2. IC 20-4-10.1 does not apply to a school corporation or the**
11 **governing body of a school corporation governed by this chapter.**
12 **Sec. 3. (a) The governing body of the school corporation consists**
13 **of six (6) members elected from the school districts established**
14 **under section 4 of this chapter in which the members reside.**
15 **(b) The members shall be elected as follows:**
16 (1) On a nonpartisan basis.
17 (2) In a primary election held in the county.



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(3) At large by the registered voters of the entire school corporation.

(c) Upon assuming office and in conducting the business of the governing body, a member shall represent the interests of the entire school corporation.

Sec. 4. The boundaries of the districts from which members of the governing body of the school corporation are elected are the same as the boundaries of the common council districts drawn under IC 36-4-6.

Sec. 5. The following apply to an election of members of the governing body of the school corporation:

(1) Each candidate must file a petition of nomination with the circuit court clerk not later than seventy-four (74) days before the election at which members are to be elected. The petition of nomination must include the following information:

(A) The name of the candidate.

(B) The district in which the candidate resides.

(C) The signatures of at least one hundred (100) registered voters residing within the school corporation.

(D) A certification that the candidate meets the qualifications for candidacy imposed by this chapter.

(2) Only eligible voters residing in the school corporation may vote for a candidate.

(3) The candidate who resides within each particular district who receives the greatest number of votes of all the candidates who reside within that district is elected as the member for that district.

Sec. 6. The Indiana state board of education, with assistance from the county election board, shall establish balloting procedures under IC 3 for the election and all other procedures required to implement this chapter.

Sec. 7. The term of each person elected to serve on the governing body of the school corporation is four (4) years, beginning July 1 following the election.

Sec. 8. The members of the governing body of the school corporation shall be elected as follows:

(1) Three (3) members shall be elected at the primary election to be held in 2006 and every four (4) years thereafter.

(2) Three (3) members shall be elected at the primary election to be held in 2008 and every four (4) years thereafter.

Sec. 9. A vacancy in the office of a member of the governing body of the school corporation shall be filled temporarily by the

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governing body as soon as practicable after the vacancy occurs. An individual filling a vacancy under this subsection serves until the expiration of the term of the member whose position the individual fills.

Sec. 10. (a) Before August 1 of each year, the school corporation shall file with the state superintendent of public instruction the following information:

(1) A list containing the names and addresses of each member of the governing body of the school corporation and the date of the expiration of each member's term of office.

(2) A list containing the names and addresses of each of the school corporation's officers and the date of the expiration of each officer's term of office.

(b) The school corporation shall file any change in the information under subsection (a) not later than thirty (30) days after the change occurs.

SECTION 2. IC 20-4-10.1-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 0.5. This chapter does not apply to a school corporation or the governing body of a school corporation governed by IC 20-3-23.

SECTION 3. [EFFECTIVE JULY 1, 2005] (a) This SECTION applies to a school corporation and the governing body of the school corporation in a city that has a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800).

(b) Notwithstanding any other law, the terms of the members of the governing body of the school corporation who hold office on June 30, 2006, expire July 1, 2006.

(c) On July 1, 2006, all powers, duties, and functions adhering to the governing body of the school corporation in existence on June 30, 2006, are transferred to the governing body established by IC 20-3-23, as added by this act.

(d) On July 1, 2006, the property and records of the governing body of the school corporation in existence on June 30, 2006, are transferred to the governing body established by IC 20-3-23, as added by this act.

(e) Notwithstanding IC 20-3-23-8, as added by this act, the six (6) members of the governing body of the school corporation shall be elected at the primary election to be held on May 2, 2006. IC 3 and IC 20-3-23, as added by this act, except to the extent those provisions conflict with this SECTION, apply to the election held

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1 under this subsection.

2 (f) Notwithstanding IC 20-3-23-7, as added by this act, the terms
3 of office of the members elected under subsection (e) expire as
4 follows:

5 (1) The terms of office of the three (3) members who receive
6 the three (3) highest numbers of votes in the election expire
7 July 1, 2010.

8 (2) The terms of office of the three (3) members elected but
9 who are not described in subdivision (1) expire July 1, 2008.

10 (g) The successors of the members described in subsection (f)
11 shall be elected as follows:

12 (1) The successors of the members described in subsection
13 (f)(1) shall each be elected for a four (4) year term at the
14 primary election held May 4, 2010, as provided in
15 IC 20-3-23-7 and IC 20-3-23-8, both as added by this act.

16 (2) The successors of the members described in subsection
17 (f)(2) shall each be elected for a four (4) year term at the
18 primary election held May 6, 2008, as provided in
19 IC 20-3-23-7 and IC 20-3-23-8, both as added by this act.

20 (h) This SECTION expires July 1, 2010.

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